

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JEFFREY NORMAN BRECHT
and CHASE VAUGHN BRECHT, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JEFFREY NORMAN BRECHT,

Respondent-Appellant.

UNPUBLISHED

August 26, 2003

No. 247022

Lapeer Circuit Court

Family Division

LC No. 02-009111-NA

Before: Markey, P.J., and Cavanagh and Saad, JJ.

MEMORANDUM.

Respondent appeals as of right from a circuit court order terminating his parental rights to the minor children pursuant to MCL 712A.19b(3)(k)(ii). We affirm.

The trial court did not clearly err in finding that at least one statutory ground for termination had been proved by clear and convincing evidence. *In re IEM*, 233 Mich App 438, 450; 592 NW2d 751 (1999). Petitioner presented evidence to show that respondent had sexually penetrated the children's sibling on more than one occasion. Further, the trial court's finding regarding the child's best interests was not clearly erroneous. *In re Trejo Minors*, 462 Mich 341, 354, 356-357; 612 NW2d 407 (2000); MCL 712A.19b(5). Therefore, the trial court did not clearly err in terminating respondent's parental rights. *Trejo, supra* at 356-357.

Affirmed.

/s/ Jane E. Markey

/s/ Mark J. Cavanagh

/s/ Henry William Saad